

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

PROGRESSIVE SPECIALTY )  
INSURANCE CO., )  
 )  
PLAINTIFF, )  
 )  
v. ) Case No.: 2:24-cv-01358-JHE  
 )  
PARKING ENFORCEMENT )  
SYSTEMS, INC. and )  
TERRY WHITE, )  
 )  
DEFENDANTS. )

**RESPONSE TO COURT'S ORDER TO SHOW CAUSE (DOC. 12)**

Progressive Specialty Insurance Company ("Progressive") hereby files its response to the Court's Order to Show Cause (Doc. 12) stating as follows:

A summons and complaint were served on Defendant Parking Enforcement Systems, Inc. ("PES") on October 21, 2024. *See* Doc. 10. Counsel for PES subsequently contacted counsel for Progressive and advised that, while the summons was correct, the complaint served on PES was for a different matter. Upon review, counsel for Progressive confirmed that it inadvertently attached a complaint for a different matter to the summons served on PES. *See id.* Progressive's counsel provided a copy of the correct complaint to PES's counsel on November 12, 2024.

The parties agreed to treat the date the complaint was provided to PES's counsel as the date of service and that PES's answer would be due on December 12, 2024.

If the Court so requires, Allstate will re-file the Return on Service or take such other action as the Court deems appropriate.

Respectfully submitted,

/s/ Joseph L. Cowan, II  
JOSEPH L. COWAN, II (asb-3620-a61j)  
J. MARK HART (ASB-5059-A61J)  
KATHERINE E.W. MANNING (ASB-3893-D67V)  
**Attorneys for Plaintiff Progressive Specialty  
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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing has been served upon all parties or their attorneys of record by serving a true and exact copy of same by email, U. S. mail, postage prepaid, and properly addressed, or by electronic filing, this the 27th day of November 2024, as follows:

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/s/ Joseph L. Cowan, II

OF COUNSEL